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PRICE, HENEVELD, COOPER, DEWITT, & LITTON, LLP/GENTEX CORPORATION 695 KENMOOR, S.E. P O BOX 2567 GRAND RAPIDS, MI 49501			THOMAS, BRANDI N	
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Please find below and/or attached an Office communication concerning this application or proceeding.

14.9

<b>Office Action Summary</b>	Application No. 10/660,834	Applicant(s) CARTER ET AL.	
	Examiner Brandi N. Thomas	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/6, 10/15/04</u> . | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> .                 |

## DETAILED ACTION

### *Information Disclosure Statement*

1. Acknowledgement is made of receipt of Information Disclosure Statement(s) (PTO-1449) filed 10/15/04 and 4/6/04. An initialed copy is attached to this Office Action.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6-15, 34-42, 44-47, 51, and 52 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts et al. (6441943 B1).

Regarding claim 1, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle comprising: a housing (202) configured for attachment to the vehicle (col.7, lines 27-28); a mirror (222) positioned in said housing (202) (col. 7, line 26); a turn signal light source (218) (col. 7, lines 34-35); a door illuminator light source (201) configured to project light towards the door handle and/or locking mechanism of the vehicle (col. 8, lines 2-5).

Regarding claim 2, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said mirror (222) is an electrochromic mirror (col. 9, lines 51-53).

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Regarding claim 3, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said light sources (201 and 218) comprise at least one LED device (col. 7, lines 28-29 and 35).

Regarding claim 6, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein at least one of said light sources (201 and 218) is disposed behind said mirror (222) so as to project light through said mirror (222) (col. 9, lines 25-26 and 61-66).

Regarding claim 7, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said turn signal light source (218) and said door illuminator light source (201) are mounted in a common lamp module (figure 2, col. 8, lines 59-65 and col. 9, lines 25-26).

Regarding claim 8, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said door illuminator light source (201) is activated during both a door illumination lighting mode and a turn signal lighting mode (col. 8, lines 2-5).

Regarding claim 9, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said turn signal light source (218) and said door illuminator light source (201) are coupled to a control circuit (216) for receiving activation signals therefrom (col. 7, lines 34-36 and col. 9, lines 27-29).

Regarding claim 10, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, further comprising a second door illuminator light source (201) coupled to the control circuit (216), wherein the control circuit (216) sequentially activates said door

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illuminator light sources (201) and said turn signal light source (218) during turn signal lighting mode (col. 7, lines 34-36, col. 8, lines 2-5, and col. 9, lines 27-29).

Regarding claim 11, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said door illuminator light source (201) is disposed behind said mirror (222) so as to project light through said mirror (222) (col. 9, lines 25-26 and 61-66).

Regarding claim 12, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, wherein said light module comprising: a turn signal light source (218); and a door illuminator light source (201) configured to project light at a portion of a door of the vehicle (col. 9, lines 25-26 and 61-66).

Regarding claim 13, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, wherein said turn signal light source (218) and said door illuminator light source (201) comprise at least one LED device (col. 7, lines 28-29 and 35).

Regarding claim 14, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, further comprising a reflector having at least two reflector cups, wherein said turn signal light source (218) and said door illuminator light source (201) each comprise at least one LED device (col. 7, lines 28-29 and 35), and wherein each LED device is associated with one of said reflector cups (col. 9, lines 51-56 and col. 13, lines 58-62).

Regarding claim 15, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, wherein said door illuminator light source (201) emits effective white light and said turn signal light source (218) emits light of a color selected from the group consisting of: amber, red, orange, and red-orange (col. 8, lines 12-15).

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Regarding claims 34-37, Roberts et al. discloses, in figures 2 and 3, a mirror assembly for a vehicle, comprising: a mirror element (col. 7, line 26); and a turn signal indicator (218) mounted behind said mirror element (222) (col. 9, lines 25-26 and 61-66), said turn signal indicator (218) comprising a first light source, a second light source, and a third light source, wherein said first, second, and third light sources are sequentially activated (col. 8, lines 12-27).

Regarding claims 38-41, Roberts et al. discloses, in figures 2 and 3, a mirror assembly for a vehicle, comprising: a mirror housing (202) for mounting to the vehicle (col. 7, lines 27-28); a mirror element (222) disposed in said mirror housing (202) (col. 7, line 26); and a turn signal indicator (218) mounted behind said mirror element (222) (col. 9, lines 25-26 and 61-66), said turn signal indicator (218) comprising a first light source, a second light source, and a third light source, wherein said first, second, and third light sources are sequentially activated (col. 8, lines 12-27).

Regarding claim 42, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, comprising: a mirror housing (202) for mounting to the exterior of a vehicle (col. 7, lines 27-28); a mirror element (222) disposed in said mirror housing (202) (col. 7, line 26); and a first light source (201) disposed proximate said mirror element (222) said first light source being operable in a first lighting mode in response to a first activation signal, and in a second lighting mode in response to a second activation signal (col. 8, lines 12-27).

Regarding claim 44, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, further comprising a second light source (218) disposed proximate said mirror element (222), wherein said second light source (218) operable in one of

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a turn signal indication mode, a security illumination mode, and a blind spot indication mode (col. 7, lines 34-35).

Regarding claim 45, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, further comprising a third light source, wherein said first, second, and third light are sequentially activated (col. 8, lines 12-27).

Regarding claim 46, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, wherein said first light source includes an LED device that emits light of at least two different colors selectable for the first and second lighting modes (col. 8, 12-16).

Regarding claim 47, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, further comprising a control circuit (216) for generating the first and second activation signals to control the light mode of said first light source (201) (col. 7, lines 34-36 and col. 9, lines 27-29).

Regarding claim 51, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, further comprising a heat sink (220), wherein said first light source (201) includes an LED device having an heat extraction member that is thermally coupled to said heat sink (220) (col. 7, lines 26-36).

Regarding claim 52, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, wherein said heat extraction member is physically coupled to said heat sink (220) by a heat stake (col. 7, lines 26-36).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 5, 16-33, 43, and 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. (6441943 B1) as applied to claim 1 above, and further in view of Schofield et al. (5786772).

Regarding claim 4, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle but does not specifically disclose a blind spot indicator. Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein a blind spot indicator light source (20a and 20b) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-25). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Roberts et al. with the blind spot indicator of Schofield et al. for the purpose informing the driver of the vehicle of objects not in his/her line of sight (col. 3, lines 17-25).

Regarding claim 5, Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said door illuminator light source (60) is further configured to function as a blind spot indicator light source (20a and 20b) for indicating when an object is detected in a blind spot of a vehicle (col. 3, lines 17-25 and col. 5, lines 7-23).

Regarding claim 16, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, said light module comprising: a door illuminator configured to project



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light at a portion of a door of the vehicle (col. 8, lines 2-5) but does not specifically disclose a blind spot indicator. Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein a blind spot indicator light source (20a and 20b) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-25). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Roberts et al. with the blind spot indicator of Schofield et al. for the purpose informing the driver of the vehicle of objects not in his/her line of sight (col. 3, lines 17-25).

Regarding claim 17, Schofield et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, wherein said light module includes at least one LED device that is selectively actuated to function as both said blind spot indicator (20a and 20b) and said door illuminator (60) (col. 3, lines 17-25 and col. 5, lines 7-23).

Regarding claim 18, Schofield et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, wherein said light module further includes a deviator (26) for redirecting a portion of the light emitted from said at least one LED device towards the eyes of a driver of the vehicle for blind spot detection (col. 3, lines 19-31).

Regarding claim 19, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, said light module further comprising a reflector disposed relative to said at least one LED device to direct light emitted from said at least one LED device in a desired direction (col. 7, lines 28-29 and 35, col. 9, lines 51-56, and col. 13, lines 58-62), said deviator (304) being a facet in said reflector (col. 10, lines 19-27).

Regarding claim 20, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, wherein said at least one LED device emits effective white light when

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operating in a door illuminator mode (201) but does not specifically disclose the LED device emitting light of a different color when operating in a blind spot indicator. Schofield discloses the LED device emitting light of a different color when operating in a blind spot indicator (col. 6, lines 46-47).

Regarding claim 21, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, further including a turn signal light (218) (col. 7, lines 34-35).

Regarding claim 22, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle comprising: a housing (202) configured for attachment to the vehicle (col. 7, lines 27-28); a mirror (222) positioned in said housing (202) (col. 7, line 26); a turn signal light source (218) (col. 7, lines 34-35); a door illuminator light source (201) configured to project light at a portion of a door of the vehicle (col. 8, lines 2-5) but does not specifically disclose a blind spot indicator. Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein a blind spot indicator light source (20a and 20b) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-25). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Roberts et al. with the blind spot indicator of Schofield et al. for the purpose informing the driver of the vehicle of objects not in his/her line of sight (col. 3, lines 17-25).

Regarding claim 23, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said light sources (201 and 218) comprise at least one LED device (col. 7, lines 28-29 and 35).

Regarding claim 24, Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes a plurality of different

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colored LED chips, and wherein at least one of said LED chips is selectively energized to function as said blind spot indicator (col. 6, lines 46-47).

Regarding claim 25, Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes an LED chip that emits red light when activated to provide a warning of an object in the vehicle's blind spot (col. 6, lines 46-56).

Regarding claim 26, Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes a first LED chip that emits amber light when activated to provide an indication that a blind spot detection system (22) to which the LED device is coupled is operational (col. 6, lines 46-56).

Regarding claim 27, Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said at least one LED device further includes a second LED chip that emits blue-green light, when said first and second LED chips are simultaneously activated the LED chips emit light that mixes and forms effective white light illumination that is projected towards a door handle of the vehicle (col. 6, lines 46-47).

Regarding claim 28, Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said at least one LED device includes a first LED chip that emits blue-green light when activated to provide an indication that a blind spot detection system (22) to which the LED device is coupled is operational (col. 6, lines 46-47).

Regarding claim 29, Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said lights are mounted in a common lamp module (figure 2).

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Regarding claim 30, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein at least one of said light (201 and 218) is positioned behind said mirror (222) so as to project light through said mirror (222) (col. 9, lines 25-26 and 61-66).

Regarding claim 31, Roberts et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein said door illumination light source (201) is disposed behind said mirror (222) so as to project light through said mirror (222) (col. 9, lines 25-26 and 61-66).

Regarding claim 32, Roberts et al. discloses, in figures 2 and 3, a mirror assembly for a vehicle comprising: a turn signal light source (218) (col. 7, lines 34-35) but does not specifically disclose a blind spot indicator. Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein a blind spot indicator light source (20a and 20b) for indicating when an object is detected in a blind spot of the vehicle (col. 3, lines 17-25). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Roberts et al. with the blind spot indicator of Schofield et al. for the purpose informing the driver of the vehicle of objects not in his/her line of sight (col. 3, lines 17-25).

Regarding claim 33, Roberts et al. discloses, in figures 2 and 3, a light module for a rearview mirror assembly, said light module further comprising a reflector disposed to direct light emitted from said turn signal light (218) in a desired direction (col. 7, lines 28-29 and 35, col. 9, lines 51-56, and col. 13, lines 58-62) but does not specifically disclose a blind spot indicator. Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein a blind spot indicator light source (20a and 20b) (col. 3, lines 17-25). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was

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made to combine the device of Roberts et al. with the blind spot indicator of Schofield et al. for the purpose informing the driver of the vehicle of objects not in his/her line of sight (col. 3, lines 17-25).

Regarding claim 43, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle but does not specifically disclose a blind spot indication mode. Schofield et al. discloses, in figures 2 and 3, a rearview mirror assembly for a vehicle, wherein a blind spot indication mode (20a and 20b) (col. 3, lines 17-25). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the device of Roberts et al. with the blind spot indication mode of Schofield et al. for the purpose informing the driver of the vehicle of objects not in his/her line of sight (col. 3, lines 17-25).

Regarding claim 48, Schofield et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, further includes a deviator (26) for redirecting a portion of the light emitted from said first light source towards the eyes of the driver of the vehicle (col. 3, lines 19-31).

Regarding claim 49, Roberts et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, further comprising a reflector disposed relative to said at least one LED device to direct light emitted from said light source in a desired direction (col. 7, lines 28-29 and 35, col. 9, lines 51-56, and col. 13, lines 58-62), said deviator (304) being a facet in said reflector (col. 10, lines 19-27).

Regarding claim 50, Schofield et al. discloses, in figures 2 and 3, an exterior rearview mirror assembly for a vehicle, wherein said first light source emits amber light during a turn signal mode (col. 6, lines 46-56).

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N. Thomas whose telephone number is 571-272-2341. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
BNT0

  
RICKY L. MACK  
PRIMARY EXAMINER